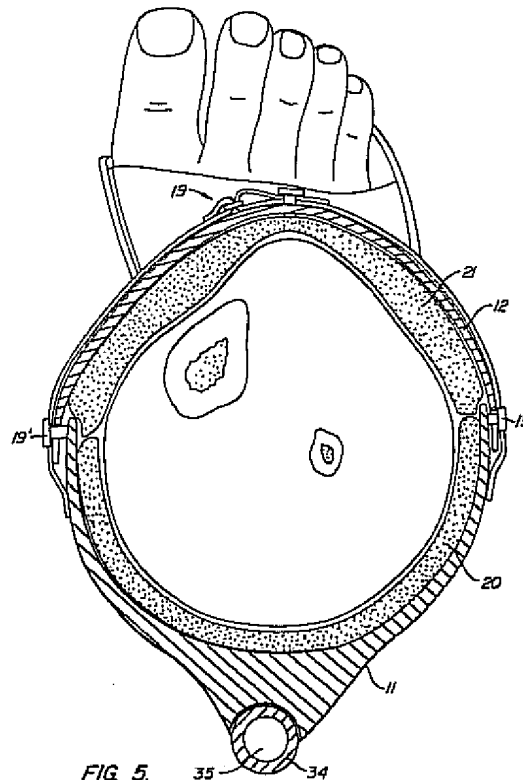


REMARKS

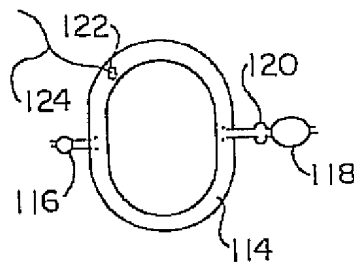
By this amendment, claim 21 has been amended to overcome the rejections under 35 U.S.C. §101 and §112. Claim 21 has also been amended to make it more clear that the port *is in pneumatic communication with the space between the inner surface of the band and the skin of the wearer*, thereby facilitating evacuation of the space so that the band makes intimate, slip-free contact with the skin.

Habermeyer does not disclose or suggest a continuous band, nor does Habermeyer teach evacuation of the space between the inner surface of the band and the skin of the wearer. Figure 5 of Habermeyer, reproduced below, clearly indicates that the bladders 20, 21 to which the Examiner refers do not continuously encircle the calf. In operation, "the air is sucked out of the cushions 20, 21 and 22 through the valves 20', 21', 22' so that the filling bodies located in the respective cushion enter into close frictional contact and in this manner the respective cushion becomes essentially rigid in a shape matched to the lower limb or foot of the patient without however exerting a pressure on the patient." It is NOT the space between the inner surface of the band and the skin of the wearer which is "evacuated."



Nor does Stark teach the evacuation of the space between the inner surface of the band and the skin of the wearer. Figure 2 of Stark is shown below. Bladder 114 is inflated. It is NOT the space between the inner surface of the band and the skin of the wearer which is "evacuated." Nothing is in pneumatic communication with the space between the inner surface of the band and the skin of the wearer. Since Stark fails to teach or suggest important limitations of independent claim 21, for at least this reason the Examiner has also failed to establish *prima facie* obviousness with respect to claims 6-9, 19 and 22.

Fig. 2



Questions regarding this application may be directed to the undersigned by telephone, facsimile or electronic mail.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John G. Posa".

By: _____

John G. Posa
Reg. No. 37,424
Gifford, Krass, Sprinkle et al
PO Box 7021
Troy, MI 48007-7021
(734) 913-9300 FAX (734) 913-6007
Email: jposa@patlaw.com

Dated: March 24, 2009